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KING COUNTY
SUPERIOR COURT

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

IN AND FOR THE COUNTY OF KING

STATE OF WASHINGTON DEPARTMENT
OF ECOLOGY,

NO. 97-2-17988-2SEA

Plaintiff,

v.

) STIPULATED MOTION AND ORDER TO
) TERMINATE PROSPECTIVE PURCHASER
) CONSENT DECREE AND DISMISS CAUSE
) OF ACTION

ZELMAN RENTON, LLC, a Delaware limited
liability company,

Defendant.

1. WHEREAS, the Washington State Department of Ecology ("Ecology") and Zelman Renton, LLC ("Zelman") entered into a prospective purchaser consent decree ("Decree") on July 22, 1997 which provided for the implementation of a Cleanup Action Plan ("CAP") addressing contamination at the Sternco Property in Renton, Washington (the "Site") arising out of historical operations at the Site; and

2. WHEREAS, Paragraph 81 of the Decree provides that the Decree shall remain in effect and the Court shall retain jurisdiction until Ecology has notified Zelman that the requirements of the Decree have been satisfactorily completed; and

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3. WHEREAS, Ecology has notified Zelman that the requirements of the Decree have been satisfactorily completed, including without limitation the requirements of the CAP for remedial action and monitoring; and

4. WHEREAS, Paragraph 81 of the Decree provides that certain provisions shall survive termination of the Decree; and

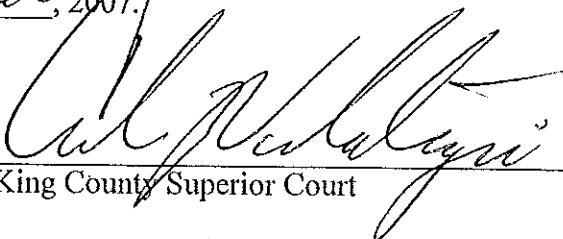
5. WHEREAS, it is in the public interest and in the interest of judicial efficiency to terminate and dismiss cases that no longer are the subject of controversy; therefore

IT IS HEREBY STIPULATED, ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:

1. The Decree is terminated, provided that this termination shall not effect the continued validity of the provisions set forth in Sections XIII (contribution protection), XIV (covenant not to sue; reopener), XVII (records retention), XXVIII (indemnity), or any other continuing rights of Zelman, its Successors in Interest and Assigns, or Ecology under the Decree.

2. The Cause of Action: State of Washington Department of Ecology v. Zelman Renton, LLC is hereby dismissed with prejudice and without costs to either party.

So ordered this 12 day of March, 2007.


King County Superior Court

[Signatures Continue on Next Page]

1 The undersigned parties stipulate to this Motion and Order on the date specified below.

2 ZELMAN RENTON, LLC, a Delaware limited
3 liability company

4 By: ZIP Renton, LLC, a Delaware limited liability
5 company

Its: Managing Member

6 By: Zelman Industrial Partners, Inc., a
7 California corporation

Its: Managing Member

8 By: Paul T. Casey
9 Name: Paul T. Casey
Title: Co-President

10 Date: _____

11
12 DEPARTMENT OF ECOLOGY

13 By: James J. Pendowski
14 Name: JAMES J. PENDOWSKI

15 Date: 2/25/07

16
17 ATTORNEY GENERAL'S OFFICE

18 By: Harold Lee Overton
19 Name: Harold Lee Overton

20 Date: 2/28/07